

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIANE ERDMANN,

Defendant.

NO. CR18-092RAJ

**SUPPLEMENT TO GOVERNMENT'S  
SENTENCING MEMORANDUM**

Since the last sentencing date, Ms. Erdmann has again shown that she is an equal part of this criminal scheme. Ms. Erdmann failed to appear for sentencing and fled alongside Ross Hansen. The idea that Ms. Erdmann is less responsible for this crime is undercut by her recent actions. The government recommends that Ms. Erdmann be sentenced to 96 months' imprisonment.

**I. ADDITIONAL BACKGROUND**

Ms. Erdmann and Mr. Hansen were scheduled to be sentenced on April 29, 2022. This date was selected after Ms. Erdmann moved for several continuances – first to participate in counseling and then second to have hip replacement surgeries.

Defendants did not appear for sentencing. The Court issued arrest warrants. The FBI went to Defendants' rental home in Auburn, Washington and learned that Defendants had fled. *See* Declaration of Special Agent Williamson, filed herewith.

Defendants remained on the run for 11 days while the FBI searched for them. The FBI learned that Defendants had switched from their previous vehicle to a 2005 Mazda MPV minivan. Williamson Declaration at ¶ 3. The FBI learned that Defendants had traveled from Auburn, to Federal Way, to Bremerton, and eventually to Port Hadlock, Washington. Williamson Declaration at ¶ 3. After a tip, law enforcement eventually located Defendants at the Port Hadlock Motel, and they were arrested on May 10, 2022. Ms. Erdmann was arrested while visiting an office connected to the motel and Mr. Hansen was arrested while walking their dog. Williamson Declaration at ¶ 4.

After the arrests, agents searched the Mazda MPV that Defendants were using to flee. They observed a cardboard box on the floor of the van behind the front seats but within reaching distance of the front seats. Williamson Declaration at ¶ 5-6. The box contained three loaded handguns. Williamson Declaration at ¶ 7 & Exhibit 1.

## **II. SENTENCING RECOMMENDATION**

The government recommends that Ms. Erdmann be sentenced to 96 months' imprisonment, half of the term that the government has recommended for Mr. Hansen. This is an increased recommendation from the government's earlier sentencing memo, where it recommended 90 months.<sup>1</sup>

The government disagrees with the contention that Ms. Erdmann is simply a pawn in Mr. Hansen's scheme. Rather, she was the one who implemented that scheme. She did so by managing the bullion fulfillment process and leading the charge to steal customer-owned bullion from the NWTM vault. Her role in the offense distinguishes her from Luann Renfrow, the wife of convicted fraudster Mark Spangler (also Ms. Renfrow pleaded guilty). *See* Erdmann Sentencing Memo, Dkt. #443 at 5.

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<sup>1</sup> The government notes that the Probation Office has increased its sentencing recommendation to 60 months, citing Section 3553(a) factors including the need for specific and general deterrence. The government agrees with the reasoning of the probation recommendation, but not the particular recommended sentence.

1 Further, a 96-month sentence is appropriate because of Ms. Erdmann's  
2 characteristics. In her previously filed sentencing memo, Ms. Erdmann claimed that the  
3 sentencing process had a positive impact on her physical and mental health. Ms.  
4 Erdmann asserted that a substantial sentence would interrupt her progress. Dkt. #443 at  
5 6. Her failure to appear and her armed flight across Western Washington completely  
6 undercut this idea that Ms. Erdmann's sentence should be impacted by the need for  
7 rehabilitation. Ms. Erdmann similarly claimed to have "regrets" about the downfall of  
8 NWTM. Ms. Erdmann's words need to be compared to her actions. Her words were  
9 merely a play for the Court's sympathy.

10 The sentence is appropriate because of Ms. Erdmann's lack of respect for the  
11 Court and the law. When it suited her, Ms. Erdmann pointed out her record on pretrial  
12 supervision that she had "not incurred a single violation of the conditions." Dkt. #443 at  
13 2. But after filing her sentencing memo, Ms. Erdmann and Mr. Hansen acquired a new  
14 vehicle, armed themselves with three loaded guns, and evaded supervision. Ms.  
15 Erdmann's conduct shows a lack of respect for the Court and the law enforcement  
16 authorities that she knew would attempt to find her.

17 Finally, a 96-month sentence protects the public from Ms. Erdmann – someone  
18 who not only carried out a fraudulent scheme against NWTM customers but also  
19 organized and participated in armed flight from law enforcement. Whether the leader or  
20 the trusted operations manager, Ms. Erdmann is dangerous and should serve a significant  
21 sentence.

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1 **III. CONCLUSION**

2 The government respectfully recommends that the Court sentence Diane Erdmann  
3 to 96 months' imprisonment followed by three years of supervised release. The  
4 government also requests that Ms. Erdmann be ordered to pay \$32,163,327.52 in  
5 restitution.

6 Dated this 31st day of May 2022.

7 Respectfully submitted,

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